

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. Claims 1-3 and 5-20 are pending in the application.

In paragraph 1 on page 2 of the Office Action, claims 1-3, 6-8, 10, 14 and 18-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gleixner et al. (US 5,446,336) in view of the Office Action's assertions. In paragraph 2 on page 5 of the Office Action, dependent claims 12, 13, 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gleixner et al. (US 5,446,336) in view of Scholz et al. (US 5,043,623). In paragraph 3 of the Office Action, dependent claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gleixner et al. (US 5,446,336) in view of Geven et al. (US 5,424,609). Applicants respectfully traverse these rejections.

As admitted by the Office Action, Gleixner fails to disclose or suggest at least a metal vapor discharge lamp having a column portion and the sleeve holding portion formed of one continuous member. Furthermore, Applicants disagree with the Office Action's Response to Arguments and reliance on *Howard v. Detroit Stove Works* which holds, "it involves no invention to cast in one piece an article which has formerly been cast in two pieces and put together." 150 U.S. 164 (1893). Applicants' invention is at least new and useful in that the one continuous member provides a higher strength and elasticity than two pieces fastened together, i.e., the structure formed by the one continuous member is advantageous at least because stress caused by repeated thermal contraction and expansion during the lamp's active and inactive states is absorbed. Furthermore, the structure of the one continuous member suppresses the occurrence of abnormal noises, prevents cracks from occurring in a sealing portion of a discharge tube, and reducing manufacturing costs incurred by bonding, welding or similar and additional processing.

Scholz fails to remedy the deficiencies of Gleixner as Scholz fails to disclose or suggest at least a metal vapor discharge lamp having a column portion and the sleeve holding portion formed of one continuous member. Geven also fails to remedy the deficiencies of Gleixner and Scholz as Geven fails to disclose Applicants' invention.

Therefore, in view of the above remarks, Applicants' independent claim 1 is patentable over the cited references.

Because claims 2-3 and 5-20, which depend directly or indirectly from claim 1, include the features recited in the independent claim as well as additional features, Applicants respectfully submit that claims 2-3 and 5-20 are also patentably distinct over the cited references. Nevertheless, Applicants are not conceding the correctness of the Office Action's rejection with respect to such dependent claims and reserve the right to make additional arguments if necessary.

Respectfully submitted,

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